

Appln. No. 10/689,139
Amendment
Reply to Office Action dated April 20, 2005

Docket No. 304-815

REMARKS

The foregoing amendments and these remarks are in response to the Office Action dated April 20, 2005. This amendment is timely filed.

At the time of the Office Action, claims 1-21 were pending in the application. Claims 22-24 have been withdrawn from consideration. In the Office Action, objections were raised to the declaration, drawings and claims 13-15, 18 and 20. Claims 1-18 and 21 were rejected under 35 U.S.C. §102(b). The objections and rejections are discussed in more detail below.

New claims 25-44 are added herein, and authorization is hereby given to charge the necessary additional claims fees to Deposit Account No. 50-0951.

I. Defective Declaration

The declaration was considered to be defective because the foreign filing date was not in the date format indicated. Applicants have enclosed a corrected declaration, and withdrawal of the objection is respectfully requested.

II. Drawings

The drawings were objected to for informalities because reference numerals listed in the Office Action were omitted from the specification. Suitable amendments to the specification to introduce the missing reference numerals are submitted herewith. Withdrawal of the objection to the drawings is respectfully requested.

The drawings were also objected to because not every feature of the invention specified in the claims was asserted to be shown in the drawings. In particular, the upwardly projecting contact pins in claim 19 were required to be shown. Suitable drawing amendments are included herewith, to show the contact pins.

III. Claim Objections

Claims 13-15, 18 and 20 were objected to for the reasons listed in the Office Action. Claim

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13 is cancelled. Claim 18 is amended in accordance with the suggestions in the Office Action. Claim 20 is cancelled herein, as the subject matter of claim 20 has been introduced into claim 1. Withdrawal of the objections is thus respectfully requested.

IV. Rejections to the claims based upon Art

Claims 1-18 and 21 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,313,840 to Chen.

Claim 20 was not rejected, and is believed to be allowable. The subject matter of claim 20 has thus been introduced into claim 1. It is clear that Chen does not disclose an insulating area forming a dielectric between two conductive areas, as recited in amended claim 1. With regard to the function of Chen, the object in contact above the flexible layer 14 displaces the cursor 13 with its movement. This cursor 13 then will make contact to the conductive layer 10 with contacts 12 and in this way will close the electrical contact between two contacts 12. The location of the cursor 13 can thus be calculated as well as a location of the object 16. This is a basic difference between the invention according to amended claim 1 and new claim 25 and Chen. As Chen does not teach or suggest the dielectric between two conductive areas, amended claim 1 is believed to be allowable.

As to new independent claim 25, a distinction when compared with Chen is in the nature of the cover or layer, under which the sensor element is located. According to Chen, the layer 14 is an elastic layer, see column 2, line 16. It further has absolutely to be an elastic layer as otherwise it would not be possible to transfer the force from the object 16 to the cursor 13 through the layer 14. Only with a flexible layer it is possible to apply the shear force by the object 16 to the layer 14 and by that stretching layer 14 and laterally displacing the cursor. This can be seen in column 2, lines 19-21. With a cover made of a rigid and electrically insulating material according to new claim 25, this would not be possible. As such, a person skilled in the art would not change the elastic layer of Chen to such a cover according to new claim 25, which is believed to be allowable.

For the foregoing reasons, the amended claims are thus believed to relate to patentable subject matter and to be in condition for allowance. The dependent claims are also believed

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allowable because of their dependence upon an allowable base claim, and because of the further features recited.

V. Conclusion

Applicants have made every effort to present claims which distinguish over the prior art, and it is thus believed that all claims are in condition for allowance. Nevertheless, Applicants invite the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicants respectfully request reconsideration and prompt allowance of the pending claims.

Respectfully submitted,

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